

*gfw*

MORGAN L. FITCH, JR.  
FRANCIS A. EVEN\*  
JULIUS TABIN\*  
JOHN F. FLANNERY  
ROBERT B. JONES  
JAMES J. SCHUMANN  
JAMES J. HAMILL  
TIMOTHY E. LEVSTIK  
JOSEPH E. SHIPLEY  
KENNETH H. SAMPLES  
PHILIP T. PETTI  
JOSEPH T. NABOR  
STEVEN C. SCHROER  
RICHARD A. KABA\*  
KARL R. FINK  
MARK W. HETZLER  
TIMOTHY P. MALONEY  
JAMES P. KRUEGER  
STEPHEN S. FAVAKEH  
RICHARD E. WAWRZYNIAK  
STEVEN G. PARMELEE  
THOMAS F. LEBENS  
BRUCE R. MANSFIELD  
KENDREW H. COLTON\*  
G. PAUL EDGE\*  
MICHAEL A. SANZO\*  
SCOTT J. MENGHINI  
NORMAN N. KUNITZ\*  
RUDY KRATZ  
RAMON R. HOCH\*  
JOHN D. BAUERSFELD\*  
GARY D. MANN



# FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

*Established in 1859*

SUITE 401L - 1801 K STREET, NW  
WASHINGTON, D.C. 20006-1201

TELEPHONE (202) 419-7000

FACSIMILE (202) 419-7007

## ILLINOIS OFFICE

SUITE 1600 - 120 SOUTH LASALLE STREET, CHICAGO, ILLINOIS 60603-3406

TELEPHONE (312) 577-7000

## CALIFORNIA OFFICES

SUITE 250 - 9276 SCRANTON ROAD, SAN DIEGO, CA 92121

TELEPHONE (858) 552-1311

WARNER CENTER TOWERS, SUITE 780, 21800 OXNARD ST., WOODLAND HILLS, CA 91367

TELEPHONE (818) 715-7025

## COLORADO OFFICE

SUITE 213 - 1942 BROADWAY, BOULDER, COLORADO 80302

TELEPHONE (303) 402-6966

October 17, 2005

EDWARD E. CLAIR  
JON A. BIRMINGHAM  
JOHN E. LYHUS  
STEVEN M. FREELAND  
DONNA E. BECKER  
BRIAN S. CLISE  
MARTIN R. BADER  
MARK A. BORSOS  
TIMOTHY R. BAUMANN  
JEFFREY A. CHELSTROM  
NICHOLAS T. PETERS  
KENNETH E. PLOCHINSKI  
GRACE LAW O'BRIEN  
CHRISTINE A. ABUEL  
TARA M. REEDY

## PATENT AGENTS

ERIC J. WHITESELL  
LILIA I. SAFONOV  
NADA J. ARDELEANU  
JULIE A. HOPPER

## OF COUNSEL

GEORGE W. SPELLMIRE, JR.  
LISA M. SOMMER  
GEORGE H. SPENCER, P.C.\*

## TECHNICAL ADVISOR

JOHN M. BRONK, PH.D.

\*ADMITTED TO D.C. BAR  
D.C. PRACTICE OF ALL OTHERS  
LIMITED TO FEDERAL COURTS  
AND AGENCIES

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, MS Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Re: Supplemental Information Disclosure Statement  
Appl. No.: 10/812,315  
Filed: March 30, 2004  
Title: **Process for the Production of  
L-Amino Acids Using Strains of the  
Enterobacteriaceae Family**  
Inventor(s): Rieping, Mechthild  
Atty. Dkt.: 7909/81000

Dear Sir:

The following documents are being submitted for appropriate action by the U.S. Patent and Trademark Office:

1. Supplemental Information Disclosure Statement;
2. PTO Form 1449, List of References Cited by Applicant;
3. References B1-B2 and C1-C7; and
4. Return postcard.

Commissioner for Patents

October 17, 2005

Page 2

**Applicant does not believe that any fees are due for the filing of these documents. However, the Director is hereby authorized to charge any fee deficiency with respect to this filing and any other fee required in connection with the present case, or credit any overpayment to our Deposit Account No. 06-1135 under Order No. 7909/81000.**

It is respectfully requested that the enclosed postcard be stamped with the date the enclosed documents are received by the PTO and that it be returned as soon as possible.

Very truly yours,

FITCH, EVEN, TABIN & FLANNERY

A handwritten signature in black ink, reading "Michael A. Sanzo". The signature is written in a cursive, flowing style.

Michael A. Sanzo

Reg. No. 36,912

Attorney for Applicant

MAS:ct

Enclosures



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Rieping, Mechthild

Appl. No.: 10/812,315

Filed: March 30, 2004

For: **Process for the Production of  
L-Amino Acids Using Strains of the  
Enterobacteriaceae Family**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7909/81000

**Supplemental Information Disclosure Statement**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Customer Service Window, **MS Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Submitted herewith is a listing of documents known to Applicant and/or his attorney in compliance with the requirements of 37 C.F.R. § 1.56. Copies of the listed documents, with the exception of the United States patent(s), are also enclosed.

Applicant does not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application. This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made.

Consideration of the cited documents and making the same of record in the prosecution of the above-captioned application are respectfully requested.

Applicant does not believe any fees are due for the submission of this Information Disclosure Statement other than those which have been provided. However, the Director is hereby authorized to charge any fee deficiency to our Deposit Account No. 06-1135 under Order No. 7909/81000.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By Michael A. Sanzo  
Michael A. Sanzo  
Reg. No. 36,912  
Attorney for Applicant

Date October 14, 2005  
1801 K Street, N.W., Suite 401L  
Washington, DC 20006-1201  
Telephone: (202) 419-7000

<p><b>LIST OF REFERENCES CITED BY APPLICANT</b>  <i>(Use several sheets if necessary)</i></p>				Atty. Docket No.: 7909/81000		Appl. No.: 10/812,315		
				Applicant(s) Rieping, Mechthild				
				Filing Date: March 30, 2004		Group: to be assigned		
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initial		Document Number	Date	Country	Class	Subclass	Abst./Trans.	
							Yes	No
	B 1	WO 02/077183	Oct. 3, 2002	WIPO				
	B 2	WO 03/076637	Sep. 18, 2003	WIPO	C12P	13/04		
	B 3							
	B 4							
	B 5							
	B 6							
	B 7							
	B 8							
	B 9							
	B 10							
	B 11							
	B 12							
	B 13							
	B 14							
	B 15							
	B 16							
	B 17							
	B 18							
	B 19							
	B 20							
	B 21							
	B 22							
	B 23							
	B 24							
	B 25							
	B 26							
	B 27							
Examiner				Date Considered				

LIST OF REFERENCES CITED BY APPLICANT <i>(Use separate sheets if necessary)</i>		Atty. Docket No.: 7909/81000	Appl. No.: 10/812,315
		Applicant(s) Rieping, Mechthild	
		Filing Date: March 30, 2004	Group: to be assigned
Examiner Initial	OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)		
	C 1	HERMANN, <i>et al.</i> , "Improved L-Threonine Production with <i>Escherichia coli</i> ," <i>Proceedings of European Congress Biotechnology</i> , XX, XX, 24 August 2003, p. 85.	
	C 2	Lehninger, <i>et al.</i> , <u>Principles of Biochemistry</u> , Worth Publishers, 2 <sup>nd</sup> Edition, pp. 697-715 (1997).	
	C 3	McCLELLAND, <i>et al.</i> , "Complete Genome Sequence of <i>Salmonella enterica</i> Seroovar Typhimurium LT2," <i>Nature</i> 413:852-856 (2001).	
	C 4	SOFIA, <i>et al.</i> , "Analysis of the <i>Escherichia coli</i> Genome. V. DNA Sequence of the Region from 76.0 to 81.5 Minutes," <i>Nucleic Acids Res.</i> 22(13):2576-2586 (1994).	
	C 5	Database UniProt 'Online!', 1 July 1898, "Putative Glycosyl Transferase yibD (EC 2.-.-.-)," XP-002324637.	
	C 6	Database EMBL 'Online!', 2 June 1994, "E. Coli Chromosomal Region from 76.0 to 81.5 Minutes," XP-00234368.	
	C 7	Database EMBL 'Online!', 29 October 2001, "Salmonella Tphymurium LT2, Section 176 of 220 of the Complete Genome," XP-002324369.	
	C 8		
	C 9		
	C 10		
	C 11		
	C 12		
	C 13		
	C 14		
	C 15		
	C 16		
	C 17		
	C 18		
	C 19		
Examiner		Date Considered	